

Child and Family Services Review

Kansas Department of Social and Rehabilitation Services Child and Family Policy Division

Introduction

Pursuant to section 1123(A) of the Social Security Act and 45 CFR 1355.31 through 1355.37, the U.S. Department of Health and Human Services, through the Administration for Children and Families (ACF), is charged with the responsibility for reviewing federally-funded child and family services programs to determine the States' substantial conformity with State plan requirements and other requirements under Titles IV-B and IV-E of the Act.

The child and family services reviews, authorized by the 1994 amendments to the Social Security Act (SSA) and administered by the Children's Bureau, provide a unique opportunity for the Federal government and State child welfare agencies to work as a team in assessing the State's capacity to promote positive outcomes for children and families engaged in the child welfare system.

Kansas was the twelfth State in the country to participate in the Child and Family Services Review. The review process consisted of two phases. The first phase consisted of a State Data Profile, derived from data for FFY 1999 contained in the Adoption and Foster Care Analysis and Reporting System (AFCARS) and for CY 1999 from the National Child Abuse and Neglect Data System (NCANDS), and data provided by the State for State FY 2000. This profile highlighted key performance indicators relating to safety and permanency for children coming into the child welfare system. Using this profile and other sources of information, Kansas completed a Statewide Assessment, which described the process, procedures, and policies of their child welfare system, including foster care and adoption. This assessment also focused on the systemic factors in place, which enable the State to carry out the process, procedures and policies of the program.

The second phase of the process involved an on-site review the week of August 6, 2001. The purpose of the on-site review included an examination of a sample of 50 cases for outcome achievement and interviews with community stakeholders to evaluate the systemic factors under review. The cases reviewed on-site examined child-specific performance indicators that correspond to certain statewide aggregate data. Other performance indicators reviewed on-site could not be reported in aggregate form through databases, therefore the on-site review was the only source of information for those indicators. Through a combination of aggregate data reported on the statewide assessment and case-specific information gathered on-site, the review team was able to evaluate

outcome achievement within programs and to identify areas where technical assistance is needed to make improvements.

The on-site review was conducted in three sites in the State of Kansas: Wyandotte County (Kansas City, Kansas), Sedgwick County (Wichita, Kansas), and Montgomery County (Independence, Kansas). The period under review was April 1, 2000 – through August 10, 2001. A random sample of 50 cases, evenly distributed between in-home and out-of-home care cases, was examined for the period under review.

Forty-eight State and Federal reviewers and team leaders, operating in two-person (State/Federal) teams, reviewed and rated the services provided to children and their families, in relationship to three domains: safety, permanency and well-being. These ratings were derived from documentation in the case records as well as from interviews with those involved with cases, i.e., parents, caseworkers, service providers, advocates, court personnel, foster parents, law enforcement, children, etc.

There were also interviews with stakeholders that allowed for an independent examination of the systemic factors to determine how well they function in the State. The systemic factors included: statewide information system, case review system, quality assurance system, staff training, service array, agency responsiveness to community, and foster and adoptive parent licensing, recruitment, and retention.

The results of the Statewide Assessment, the on-site case review, and the stakeholder interviews were compiled by the review team into this report and were used to make a determination about Kansas' substantial conformity with regard to each of the seven outcomes related to safety, permanency and well-being, and each of the systemic factors. In order to be determined to be in substantial conformity on any given outcome, the outcome must have been substantially achieved in 90% of the cases reviewed.

Executive Summary

Key Findings Relating to Safety, Permanency and Well-Being

I. Safety

- **87% of the cases reviewed substantially achieved Safety Outcome 1: Children are, first and foremost, protected from abuse and neglect.**

Strengths -

Information from the on-site review revealed that investigations were generally initiated in a timely manner. Face-to-face contacts with children were routinely made within timeframes outlined in policy. Safety plans were implemented and risk was being managed through varied interventions.

Incidents of repeat maltreatment were minimal, which may be due in part to the delivery of Family Preservation Services. The provision of after care services by the foster care contractors may also have a positive impact in this area.

It was indicated in the cases that were reviewed that Family Preservation Services have been effective in addressing the needs of children and families at risk of removal and in keeping children out of care.

Case decisions around reintegration into the home appeared to be based on an assessment of risk in the family.

Allegations were investigated and corrective action plans were developed in situations where abuse or neglect was identified in foster or adoptive homes.

Challenges –

Although initial safety assessments were being completed, underlying issues were not always being identified and appropriate services being provided.

The State has a policy that a supervisor, without knowledge of the case, is to review any cases in which there have been three unsubstantiated reports of abuse or neglect in the past two years. It was determined during the review that this was not occurring in all cases that were reviewed.

Status of Safety Outcome 1: Not in Substantial Conformity

- **90% of the cases reviewed substantially achieved Safety Outcome 2: Children are safely maintained in their homes whenever possible and appropriate.**

Strengths -

The on-site review indicated that Family Based Assessments were being completed with parental involvement. Family Preservation was being provided to protect children and prevent removal from the home. Family Preservation and Social and Rehabilitation (SRS) staff generally began provision of services quickly. Stakeholders identified a promising pilot project that utilizes software to complete the Kansas Initiative Decision Support (KIDS) form to determine if a case should be assigned to Family Preservation or SRS staff.

Challenges –

Stakeholders and case reviews indicated that Family Preservation was the primary mode of service delivery in many cases where more intensive long-range services were warranted. Some sites identified a need for additional service delivery options to reduce risk of harm.

In several cases there were insufficient services to address the needs of Seriously Emotionally Disturbed (SED) children. There were concerns relative to the adequacy of training to identify services needed for this group of children.

Status of Safety Outcome 2: In Substantial Conformity

II. Permanency

- **68% of cases reviewed substantially achieved Permanency Outcome 1: Children will have permanency and stability in their living situations.**

Strengths -

A real strength in the area of permanency is that children were not experiencing foster care re-entry. After care services were seen as very effective in stabilizing the placement back into the home and having a positive impact in this area.

Case reviews indicated that the use of flex funds also had a positive impact on children being maintained in their own homes. Where there were sufficient resources in the community the children experienced fewer moves. There are efforts to maintain children in the least restrictive out-of-home placement.

There was consensus that Termination of Parental Rights (TPR) petitions are being filed for children in care 15 of 22 months. Permanency plans for most children were being established through court reviews that exceeded the

required yearly permanency hearing. In most cases the case planning conferences were occurring at least every six months. Connections with relatives were supported and maintained.

Challenges –

While Kansas has seen an increase in the number of foster homes available over the past few years, there was an identified need for more homes, particularly to meet the specialized needs of children with severe emotional disturbances.

There were indications that some children have experienced multiple placements in a short period of time. There were instances where the placement changes were not a result of case plan goal achievement. There were instances in which children had experienced 10-14 placement changes during the period under review, due to the lack of appropriate placement resources and an adequate assessment of their placement needs.

Stakeholders indicated that there is a lack of sufficient supports for foster parents, particularly for respite care in the home community. There were also indications that foster parents are not always given adequate information when children are placed.

Case reviews and stakeholder interviews identified a need for ongoing assessments of appropriate goals for children. A number of cases had goals for the child or youth that were clearly not appropriate and services and the goals did not match. In some cases older children had a goal of adoption for several years, yet the child had clearly stated on numerous occasions that they did not want to be adopted.

Stakeholders indicated that Kansas is in the first phases of implementing a concurrent planning model. This will address some of the identified lags in movement towards permanency. Hence planning is sequentially in most instances and is sometimes negatively impacted by transition between contract agencies as goals change, i.e., goal change to adoption.

Stakeholders indicated that independent living services are not available in all areas. There are concerns that children are aging out of the child welfare system without the necessary life skills training. It was indicated that some foster parents are not receiving the independent living training that is needed to help them work with older youth.

Status of Permanency Outcome 1: Not in Substantial Conformity

- ***80% of the cases reviewed substantially achieved Permanency Outcome 2: the continuity of family relationships and connections will be preserved for children.***

Strengths -

According to case reviews and stakeholders, Kansas made efforts to maintain emotionally supportive relationships in most cases between parent and child, where appropriate. There was evidence that extra efforts were made to bring the parents into the life of the child in school and in other relevant areas.

Case reviews and stakeholders indicated that most children appear to be placed within close proximity to families. Kansas encourages and facilitates frequent visits between child/parent and child/siblings in foster care. Other methods of contact are also encouraged. In some instances foster parents were instrumental in maintaining connections.

Case reviews and stakeholder interviews indicated that the policy for visitation was being followed for the majority of cases and that the agency encouraged and facilitated frequent visitation between child/parent and child/siblings in foster care.

Case reviews and stakeholders indicated that there is support for seeking relative placements and that these are routinely explored. Case reviews indicated that if relatives were not used as a placement option, the rationale was appropriately documented. Visitation with grandparents and other relatives was being facilitated.

According to stakeholders, Kansas is responsive to the Tribes and gives notice when Native American children are placed in care. It was indicated that there is a timely transitioning of cases to the Tribes. Tribal representatives are always at the table during case planning. Stakeholders did indicate that services are not always oriented to the Native American population.

Challenges –

Stakeholders indicated that specialized contracts can be a barrier to effective concurrent planning.

According to stakeholders, some workers and youth are not aware that independent living services can be used for children 18 years of age and over. Transitional planning was not always occurring for children with special needs to prepare them to live independently.

Status of Permanency Outcome 2: Not in Substantial Conformity

III. Child and Family Well-Being

- **77% of the cases reviewed substantially achieved Well-Being Outcome 1: Families will have enhanced capacity to provide for their child's needs.**

Strengths -

Case reviews indicated that thorough assessments are being completed and in most cases the major needs of parents, children and foster parents are addressed through appropriate services. In some cases extra efforts were being made to provide services that were outside the normal array of services for the identified problems. According to stakeholders, Kansas has developed a Child Well-Being status report that is completed every 6 months to coincide with the case planning conference and tracks service needs and progress.

Parental and child involvement in case planning is a real strength of the Kansas child welfare system. Stakeholders indicated that SRS, contract staff, Tribes and parents are consistently involved in the process.

Case reviews indicated that in many instances workers were consistently meeting or exceeding visitation requirements with the child and that visitation schedules were based on the needs and goals of the child.

Challenges -

Stakeholders expressed concern about the level of support provided to some foster parents by their worker and the children's worker.

Stakeholders did identify that there is a lack of intensive long-range services for children who were identified as Seriously Emotionally Disturbed (SED) and had substance abuse and/or mental health issues. In some instances there were waiting lists for some mental health and substance abuse services due to limited availability. In some instances the continuity of services was hampered by the contractual arrangement with the state. Stakeholders indicated that services to parents were not always being provided as identified. The focus, at times, tended to be on treatment for the child while excluding the parent's issues. Family focused services were sometimes lacking.

Status of Well-Being Outcome 1: Not in Substantial Conformity

- **93% of the cases reviewed substantially achieved Well-Being Outcome 2: Children receive appropriate services to meet their educational needs.**

Strengths –

Case reviews indicated that educational needs of children were being addressed and that services were being provided to address the identified needs.

Kansas SRS is collaborating with the Department of Education to address issues around the movement of children between schools and the development of an educational “passport: to follow the child. A form has been developed to capture information about the child’s educational and social needs, school placement that is given to the school when a child is enrolling in or transferring schools.

Stakeholders stated that Kansas utilizes Early Child Care and Head Start in their educational and developmental services to children.

Challenges –

There is not a process in place that ensures that an Individualized Education Plan (IEP) is implemented when a parent refuses to sign and the worker is not authorized to do so.

In some instances children experienced multiple school placements due to multiple changes in out-of-home placements.

Status of Well-Being 2: In Substantial Conformity

- **78% of cases reviewed substantially achieved Well-Being 3: Children receive adequate services to meet their physical and mental health needs.**

Strengths –

Case reviews and stakeholder interviews indicated that in the majority of cases children’s physical health needs were being met. There was follow up on identified medical needs.

Case reviews indicated that in most cases overall basic mental health needs were identified as soon as a child came into care through mental health screenings and evaluations.

SRS is working with mental health and contract partners to design a more effective system for delivering mental health services. There is a plan for Seriously Emotionally Disturbed (SED) children to be “carved out” of the current system beginning October 1, 2001. The remaining mental health services will be rolled out beginning January 2002.

Challenges –

Stakeholders stated that there are insufficient numbers of dental care providers that accept Medicaid, especially for orthodontia care.

In some instances foster parents are not provided with medical information on children placed in their care in a timely manner or not at all. The mechanism for foster parents to claim reimbursement for travel to take children for medical care was reported to be cumbersome and did not support timely reimbursements.

Stakeholders and case reviews identified the need for improvement in the provision of mental health services to children and families. While mental health evaluations were being completed for children, follow up treatment or the specialized services needed were not always provided. There were waiting lists for specialized services. Especially challenging were the children with severe emotional disturbances, described as 1-2% of the children served.

Stakeholders indicated that the duration, level, and intensity of appropriate mental health services are not being provided. These were the most costly services and were not being authorized thereby resulting in unstable placements, children remaining in care for extended periods of time and placement of children in restrictive placements.

Status of Outcome Well-Being 3: Not in Substantial Conformity

Key Findings for Systemic Factors

I. Statewide Information System

Strengths -

Kansas is operating a data rich statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for placement of every child who is in foster care. The system also has the capacity to identify children served by child protective services, SRS family services and contracted family preservation.

Challenges –

The statewide information system Family and Child Tracking System (FACTS) is fragmented and does not provide readily accessible management reports that

assist the managers and workers. In many instances workers and contractors are maintaining their own databases for management purposes that are not coordinated with or able to exchange information with the FACT system.

Status of Statewide Information System: In Substantial Conformity

II. Case Review System

Strengths –

Case review and stakeholders indicated that parents are invited and attend case planning meetings. Generally contract and SRS workers attended and participated in these meetings.

Case reviews and stakeholders indicated that the courts are meeting and exceeding the 6-month requirement for case reviews. The Kansas Supreme Court was instrumental in promoting the standardization of court orders to ensure compliance with AFSA and IV-E. Permanency hearings are being conducted timely prior to Termination of Parental Rights occurring. Courts are conscientious about filing TPR petitions when a child has been in care 15 of 22 months.

According to stakeholders, foster parents are invited to hearings and they provide the court written reports prior to the court hearings.

Challenges –

Case reviews and stakeholder interviews in one review site indicated that permanency hearings are not usually held for children whose parental rights have been terminated. These are primarily a paper reviews.

Status of Case Review System: In Substantial Conformity

III. Quality Assurance System

Strengths –

Stakeholder interviews and case reviews revealed that policy is in place to ensure that children are receiving quality services

Stakeholder interviews indicated that KDHE has policy/regulations regarding foster home licensing and child/placing/caring agencies and are responsible for licensing each of these entities. Criminal background and child abuse checks on foster homes are completed prior to initial licensure and yearly thereafter. There

is a process in place to address complaints and develop corrective action plans targeted at identified problem areas.

Kansas is in the process of developing a comprehensive quality assurance process that addresses duplication and is more efficient. Plans are being developed to incorporate elements of the CFS process into their quality assurance system.

Challenges –

The on-site review confirmed findings in the statewide assessment that the current quality assurance system is fragmented and duplicative.

Status of Quality Assurance System: In Substantial Conformity

IV. Training

Strengths –

Stakeholders and case reviews indicated that Kansas has hired an Education and Training Program Administrator for development, coordination, and implementation of statewide training for SRS and contract staff at all levels. This position will also serve as the agency's coordinator for foster parent training issues. Kansas is also in the process of expanding initial and ongoing training for the SRS workers through a comprehensive statewide training academy. Stakeholder interviews indicated that prospective foster/adoptive parents are receiving MAPP or "Deciding Together" training prior to initial licensure. Therapeutic homes are required to have 40 hours of specialized training every year. There are a variety of opportunities available for foster parents to receive their yearly in-service training.

Challenges –

Stakeholders indicated that there is not a comprehensive system for training which focuses on the needs of child welfare workers from entry level to advanced workers and supervisors. Training is often fragmented. Training on concurrent planning was identified as a need.

Stakeholders indicated that training is not always available at times and places convenient for foster parents. Foster parents do not always receive training for special needs children, i.e., independent living, adolescents, and SED.

Status of Training: Not in Substantial Conformity

V. Service Array

Strengths –

Stakeholders and case reviews indicated that there is a wide array of available services. Some areas of Kansas are rich in services. Family preservation and adoption services are available throughout the State. Some mental health services are available through Community Health Centers throughout the State. Services are generally individualized to meet the needs of children and families.

Challenges –

Stakeholders and case reviews indicated that drug and alcohol treatment services are needed in some areas. Specialized mental health services are not readily available, i.e., crisis bed, attendant care, and respite care.

Stakeholders indicated that independent living services are not available in all areas.

Status of Service Array: In Substantial Conformity

VI. Agency responsiveness to the Community

Strengths –

Stakeholders talked about the new leadership, vision and openness to collaboration they see within the system. SRS is held in high regard in the community. SRS works collaboratively with a wide variety of community partners. Stakeholders indicated that SRS reaches out to the Tribes to include them in decision making and plan development. Government to Government meetings with Tribal representative are held regularly.

Challenges –

Stakeholders indicated that staff needs assistance in working with different cultures, although staff has received some training in this area. There is limited diversity of staff in mental health service providers, contract agencies, and SRS to work with the diverse client population.

Status of Agency Responsiveness to the Community: In Substantial Conformity.

VII. Foster and Adoptive Parent Licensing, Recruitment, and Retention

Strengths –

Stakeholder interviews indicated that Kansas' licensing standards reflect national standards and promote protection and permanency for children in out-of-home care. These standards are equally applied to all licensed/approved homes and child care institutions.

Stakeholders indicated that Kansas has significantly increased the pool of foster homes. The "Coming Home Kansas" initiative is a major effort to recruit foster/adoptive homes.

Challenges –

Stakeholders indicated that there is a shortage of foster/adoptive homes for adolescents, large sibling groups, and children with special needs. Support and training are not always readily available for foster parents who are caring for this group of children. Kansas has not consistently engaged in targeted recruitment for the varied population of children that present placement challenges. On the surface it appears that there are sufficient homes to place children, however these placements do not necessarily address the special needs of children in care.

Stakeholders indicated that SRS managers have little knowledge of recruitment activities that are taking place in their areas or throughout the State.

Status of Licensing, Recruitment, and Retention: In Substantial Conformity

REVIEW RESULTS

Outcome	Number of Cases Substantially Achieved	Number of Cases Partially Achieved	Number of Cases Not Achieved	Percentage of Cases Substantially Achieved
<u>Outcome S1:</u> Children are, first and foremost, protected from abuse and neglect.	41	4	2	87%
Outcome S2: Children are safely maintained in their own homes whenever possible and appropriate.	43	4	1	90%
Outcome P1: Children have permanency and stability in their living situations.	17	5	3	68%
Outcome P2: The continuity of family relationships and connections is preserved for children.	20	5	0	80%
Outcome WB1: Families have enhanced capacity to provide for their children's needs.	38	9	3	76%
Outcome WB2: Children receive appropriate services to meet their educational needs.	41	1	2	93%
Outcome WB3: Children receive adequate services to meet their physical and mental health needs.	36	10	0	78%

Systemic Factors	Not in Substantial Conformity		Substantial Conformity	
	1 (None of the State Plan or program requirements is in place.)	2 (Some or all of the State plan or program requirements are in place, but more than one of the requirements fails to function at the level described)	3 (All of the State plan or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement)	4 (All of the State plan or program requirements are in place and functioning as described in each requirement)
Statewide Information System			XXX	
Case Review System			XXX	
Quality Assurance System			XXX	
Training		XXX		
Service Array			XXX	
Agency Responsiveness To The Community				XXX
Foster and Adoptive Parent Licensing, Recruitment and Retention			XXX	

AREAS OF SUBSTANTIAL CONFORMITY

Outcome	Number of Cases Substantially Achieved	Number of Cases Partially Achieved	Number of Cases Not Achieved	Percentage of Cases Substantially Achieved
Outcome S2: Children are safely maintained in their own homes whenever possible and appropriate.	43	4	1	90%
Outcome WB2: Children receive appropriate services to meet their educational needs.	41	1	2	93%

Systemic Factors	Not in Substantial Conformity		Substantial Conformity	
	1 (None of the State Plan or program requirements is in place.)	2 (Some or all of the State plan or program requirements are in place, but more than one of the requirements fails to function at the level described)	3 All of the State plan or program requirements are in place, and no more than one of the requirements fails to function as described in each requirement)	4 All of the State plan or program requirements are in place and functioning as described in each requirement)
Statewide Information System			XXX	
Case Review System			XXX	
Quality Assurance System			XXX	
Service Array			XXX	
Agency Responsiveness To The Community				XXX
Foster and Adoptive Parent Licensing, Recruitment and Retention			XXX	